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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,168	06/14/2001	Cary Lee Bates	ROC920010105US1	6848
7590	03/17/2004		EXAMINER	
Grant A. Johnson IBM Corporation - Dept. 917 3605 Highway 52 North Rochester, MN 55901			TRAN, QUOC DUC	
			ART UNIT	PAPER NUMBER
			2643	12
DATE MAILED: 03/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/881,168	BATES ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Quoc D Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 January 2004.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (5,946,380) in view of Hogan et al (6,016,343).

Consider claim 1, Cohen et al teach a computer implemented method for implementing calling card control comprising the steps of: receiving a telephone call request from a calling card user (col. 2 lines 20-25, the “calling card” is being interpreted as “calling account”); sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record includes a plurality of predefined options and each said user selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

Cohen et al did not suggest wherein the calling card control system and method used for calling card security purposes. However, Hogan et al teach call processing system and method including validation system, billing system and fraud detection and prevention system for processing of telephone calls. That is, providing a level of security to the system. The call

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processing system provides various billing and fraud detection methodologies such as prepaid, postpaid and credit limited services (see abstract; col. 89-112).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Cohen et al call control system into the fraud prevention and detection system of Hogan et al in order to prevent fraudulent activity of the calling card/account thereby increasing usage security.

Consider claim 2, Cohen et al teach a computer implemented method includes the steps of identifying a telephone call request to setup a calling card from a calling card user (col. 4 lines 33-41) and performing setup to receive and store user selected options for the calling card (col. 2 lines 22-30; col. 4 lines 1-10).

Consider claim 13, Cohen et al teach a computer program product for implementing calling card control with a server computer, said computer program product including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions, when executed by said server computer, cause the server computer to perform the steps of: responsive to a user request to setup a calling card, performing setup to receive and store user selected options for said calling card (col. 2 lines 20-30; col. 4 lines 1-10); receiving a telephone call request from a calling card user (col. 2 lines 20-25, the “calling card” is being interpreted as “calling account”); responsive to said telephone call request from the calling card user, sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record includes a plurality of predefined options and each said user

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selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

Cohen et al did not suggest wherein the calling card control system and method used for calling card security purposes. However, Hogan et al teach call processing system and method including validation system, billing system and fraud detection and prevention system for processing of telephone calls. That is, providing a level of security to the system. The call processing system provides various billing and fraud detection methodologies such as prepaid, postpaid and credit limited services (see abstract; col. 89-112).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Cohen et al call control system into the fraud prevention and detection system of Hogan et al in order to prevent fraudulent activity of the calling card/account thereby increasing usage security.

Consider claim 20, Cohen et al teach a system for implementing calling card control comprising: a server computer (Fig. 1); a calling card control program including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions (Fig. 2), when executed by said server computer, cause the server computer to perform the steps of: receiving a telephone call request from a calling card user (col. 2 lines 20-25, the “calling card” is being interpreted as “calling account”); sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record

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includes a plurality of predefined options and each said user selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

Cohen et al did not suggest wherein the calling card control system and method used for calling card security purposes. However, Hogan et al teach call processing system and method including validation system, billing system and fraud detection and prevention system for processing of telephone calls. That is, providing a level of security to the system. The call processing system provides various billing and fraud detection methodologies such as prepaid, postpaid and credit limited services (see abstract; col. 89-112).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Cohen et al call control system into the fraud prevention and detection system of Hogan et al in order to prevent fraudulent activity of the calling card/account thereby increasing usage security.

3. Claims 3-4, 7-12, 14 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (5,946,380) in view of Hogan et al (6,016,343) and further in view of Jankowitz et al (5,875,236).

Consider claims 3 and 14, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for use from a specified telephone number being enabled*. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to

incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 4, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of checking for said telephone call request originating from a specified telephone number responsive to an identified use from a specified telephone number being enabled; and terminating said telephone call request responsive to said telephone call request not originating from said specified telephone number (col. 5 line 42 – col. 6 line 56).

Consider claims 7 and 17, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of checking for a limited number of calls from a specified telephone number being enabled. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 8, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a number of calls from said specified telephone number with a threshold limit responsive to said limited number of calls from a specified telephone number being enabled; and terminating said telephone call request

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when said number of calls from said specified telephone number exceeds said threshold limit (col. 5 line 42 – col. 6 line 56).

Consider claims 9 and 16, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of checking for calls to a limited area being enabled. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 10, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a telephone number dialed with said limited area responsive to calls to said limited area being enabled; and terminating said telephone call request when said telephone number dialed is outside said limited area (col. 5 line 42 – col. 6 line 56).

Consider claim 11 and 18, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for a limited time for calls being enabled*. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

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Consider claim 12, Cohen et al did not clearly suggest wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a call duration with said limited time responsive to said limited time for calls being enabled; and terminating said call when said limited time for calls is exceeded. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 19, Cohen et al did not clearly suggest comparing said identified user selected options for the calling card with said telephone call request from the calling card user and terminating the telephone call when said telephone call request differs from said identified user selected options for the calling card. However, Jankowitz et al suggested such (col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

4. Claims 5-6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (5,946,380) view of Hogan et al (6,016,343) and further in view of Sawyer et al (6,324,271).

Consider claim 5 and 15, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for voice recognition being enabled*. However, Sawyer et al suggested such (col. 2 line 53 – col. 3 line 6). Therefore, it would have been obvious to one of the ordinary skill

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in the art at the time the invention was made to incorporate the teaching of Sawyer et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 6, as discussed above, Sawyer et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of requesting the calling card user to speak a phrase responsive to voice recognition being enabled; comparing a received voice pattern with a stored voice pattern; and terminating said telephone call request when a match of the voice patterns is not found (col. 2 line 53 – col. 3 line 6).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Facsimile responses should be faxed to:  
**(703) 872-9306**

Hand-delivered responses should be brought to:  
Crystal Park II, 2121 Crystal Drive  
Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran  
Patent Examiner AU 2643  
March 13, 2004